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Division WASTE MANAGEMENT

Section SUPERFUND

Program IHS (IHS)

DocCat FACILITY



NORTH CAROLINA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES
RALEIGH REGIONAL OFFICE



DIVISION OF WATER QUALITY

Groundwater Section

November 23, 1998

JAMES B. HUNT JR.
GOVERNOR

WAYNE MCDEVITT
SECRETARY

Moore & Van Allen, PLLC
Nations Bank Corporate Center
100 North Tryon St., Floor 47
Charlotte, NC 28202-4003

Attn: Mr. Peter J. McGrath, Jr.

Subject: Williamson Cleaners & Fikewood Plaza, 1400 Ward Blvd., Wilson, NC,
Wilson County, Incident # *unassigned*, Site Rank 90 B

Dear Mr. McGrath,

The following is submitted in response to your letter dated November 19, 1998 regarding the subject site. Your letter addressed the Notice of Violation (NOV) issued by our office on November 3, 1998 and your concerns regarding the assignment of responsibility for groundwater contamination at the subject site to the property owner, LIF Realty Trust, and issues regarding the Dry Cleaner Solvent Cleanup Act of 1997. The NOV was originally issued to Cail Realty & Investment. I gather the correct owner is LIF Realty Trust given your letter indicating such.

With respect to the first issue, I understand your contention is the owner of a piece of property (in this case LIF Realty Trust) which is contaminated does not have responsibility because the activity which caused the damage was the operation of a dry cleaner. The Groundwater Section and Division of Water Quality interpret the North Carolina Administrative Code, Title 15A, Subchapter 2L .0106 (15A NCAC 2L .0106) to include owners of property. As owners of the land, they exert control over unabated contaminated soil and groundwater, the continuing migration of the contaminated groundwater and impacts resulting from this migration to adjacent uncontaminated groundwater. In the subject incident, neither of the previous drycleaner operators believe they are responsible and do not admit to causing a release that has caused the impact to groundwater. As such our office will hold LIF Realty Trust, the property owner, responsible for compliance with the NOV and the commissions rules.

With respect to the issue of the "Drycleaner Act", our office must require work be initiated in accordance with 15A NCAC 2L .0106. Although I understand the effective date of the Statute is January 1, 1999, implementation of the "Act" may take some time. In discussing the issue with Mr. Jack Butler, Superfund Section and with Ms. Judy Bullock, Attorney Generals Office, it is my understanding that rules implementing the Statute have not been finalized and that there may not be sufficient monies available for reimbursement in the near future. Mr. Butler indicated the

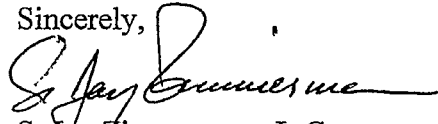
3800 BARRETT DRIVE, SUITE 101, RALEIGH, NORTH CAROLINA 27609
PHONE 919-571-4700 FAX 919-571-4718

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Superfund Section may not be in a position to enter into any agreements as they do not have staff to administer the program. The net effect is the program is still being developed and does not appear to be in a position to begin reimbursement. According to Mr. Butler, the assessment work you have requested we postpone the submittal of, would likely remain postponed until the Superfund Section is in a position to enter into an agreement stipulating assessment activities. It is unclear at this point when such agreements would be considered. Given the location of nearby potable wells and the unknown extent of contamination, our office is not in a position to postpone deadlines and associated site assessment activities while waiting for the reimbursement program to become viable. Consequently, the Comprehensive Site Assessment and Corrective Action Plan are required to be submitted in accordance with the dates established in the November 3, 1998 NOV.

Should you have any questions please contact me at (919) 571 - 4700. You may also contact Mr. Jack Butler at (919) 733 - 2178 and Ms. Judy Bullock at (919) 716 - 6975 should you wish to discuss the "Drycleaner" reimbursement program further.

Sincerely,



S. Jay Zimmerman, L.G.

Environmental Regional Supervisor

Raleigh Regional Office

cc: Judy Bullock - Attorney General's Office
Jack Butler - Superfund Section

fikewood.doc

MOORE & VAN ALLEN, PLLC

ATTORNEYS AT LAW

PETER J. McGRATH JR.
DIRECT DIAL 704-331-1081
E-MAIL mcgrathp@mvalaw.com

NATIONSBANK CORPORATE CENTER
100 NORTH TRYON STREET FLOOR 47
CHARLOTTE, NORTH CAROLINA 28202-4003

TELEPHONE 704-331-1000
FACSIMILE 704-331-1159

November 19, 1998

Mr. S. Jay Zimmerman, L.G.
Environmental Regional Supervisor
Raleigh Regional Office
Division of Water Quality
Groundwater Section
North Carolina Department of Environmental & Natural Resources
3800 Barrett Drive, Suite 101
Raleigh, North Carolina 27609

**RE: Your November 3, 1998 Notice of Violation Regarding
Fikewood Plaza, 1400 Ward Boulevard, Wilson, North Carolina,
Incident No. Unassigned, Site Rank 90B**

Dear Mr. Zimmerman:

This firm represents LIF Realty Trust, the owner of Fikewood Plaza in Wilson, North Carolina, which received the referenced Notice of Violation dated November 3, 1998. It appears that releases of perchloroethene ("PCE") from the Williamson Cleaners or another dry cleaner formerly located at the Plaza may have resulted in concentrations of PCE and trichloroethene ("TCE") in groundwater at or around the Williamson Cleaners facility, in concentrations in excess of those allowed under the North Carolina groundwater standards, 15A N.C.A.C. 2L .0202 (the "Standards").

As an initial matter, we believe it is apparent that the activity which resulted in the increase in the concentrations of PCE and TCE in groundwater in excess of concentrations allowed under the Standards was the operation of a dry cleaner. Neither LIF Realty Trust nor any of its affiliates has never conducted or controlled the operations of any dry cleaners on the property. LIF Realty Trust, therefore, is not a responsible party under the terms of 15A N.C.A.C. 2L .0106.

Without admitting that LIF Realty Trust is a responsible party, we request an extension to respond to the referenced Notice of Violation. We are requesting the extension to ensure that the owner of the dry cleaner which caused the exceedences does not lose its rights to reimbursement for any cleanup expenses from the Dry-Cleaning Solvent Cleanup Fund established by the Dry Clean Solvent Cleanup Act of 1997, N.C. Gen. Stat. § 143-215.104A et seq. As we understand

Mr. S. J. Zimmerman, L.G.

November 19, 1998

Page 2

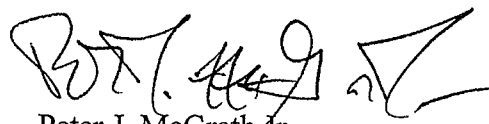
the Act, any person who undertakes an assessment or remediation of dry cleaning solvent contamination pursuant to an enforcement action during the period beginning 1 October 1997 ending 1 January 1999 may, on or after 1 January 1999, seek reimbursement from the fund for any costs exceeding \$50,000.00. The Environmental Management Commission shall reimburse those costs, however, only if it finds that the costs were required by a specific order of the Department of Environment and Natural Resources ("DENR") issued on or after June 30, 1996. It is our understanding that DENR takes the position that notices of violation are not specific orders. (See "The Dry-Cleaning Solvent Cleanup Act of 1997," by Samuel M. Taylor, Environmental News, February 1998, copy attached). Therefore it appears that beginning assessment prior to January 1, 1999 may jeopardize eligibility for reimbursement from the fund. We recognize that the Act does allow for persons who begin assessment prior to January 1, 1999 to petition the Commission for reimbursement. We are not certain of the effect of those provisions and wish to make certain that the responsible parties in this case maintain their eligibility for reimbursement, which will occur if the assessment requirements are deferred until after 1 January 1999.

Based upon the nature and extent of contamination suspected to exist at the Plaza and the nature of the site and surrounding sites, we do not believe that any contamination currently suspected at the site poses a threat to human health of the environment and do not believe a deferral of assessment requirements for this brief period will have a material adverse affect.

If you have any questions regarding this request, please contact the undersigned.

Very truly yours,

MOORE & VAN ALLEN, PLLC


Peter J. McGrath, Jr.

PJM/tsm

Enclosure

cc: Bill Hicks

C. Steven Mason

THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997

Rick Sawyer's article summarizing the Dry-Cleaning Solvent Cleanup Act of 1997 was published in ENVIRONMENTAL NEWS, vol. 9, no. 1 (October 1997). Sam Taylor, a co-author of the act, discussed the article with Mr. Sawyer and the editors and sent a follow-up letter to the editors on October 31, 1998. Mr. Taylor's letter to the editors clarifies certain aspects of the act and is reprinted here substantially in its entirety. [Ed. EN]

I am writing to clarify several aspects of the Dry-Cleaning Solvent Clean-up Act of 1997 (the Act), which was described in a recent article in Environmental News. As one of the co-authors of this legislation, I hope that these observations will be helpful to your readers as North Carolina goes about implementing the new program established by the Act.

Perhaps the most important clarification that should be made is that not only dry-cleaning facility owners and operators, but any other party who may have liability arising from solvent releases at a dry-cleaning facility (PRP) will be eligible for the benefits of the Act. Such parties may include landowners, former owners and operators, lessors, or any other person with potential liability for assessment or remediation of the site under state or federal law. Any such party may seek to have a site certified under the Act and to enter into assessment and remediation agreements. In addition, the liability protections created by the Act will also be available to such persons, provided they are a party to an assessment or remediation agreement and meet the Act's other qualifications.

A second important clarification is that the liability protections of the Act provide qualified immunity not only against action by the state, but also against actions by third parties to compel assessment or remediation of sites that are covered by such agreements. The liability protection does not extend to actions for property damage or personal injury. The key consideration behind the liability protection provisions of the Act was to protect PRPs from collateral action to compel clean-up in excess of that agreed to by the state. For obvious reasons, the immunity created by the Act is subject to a wide range of restrictions and limitations.

In addition, the following notes may also be helpful in understanding the Act:

- (1) The Act not only *authorizes*, but *requires* the Environmental Management Commission to adopt rules establishing risk-based assessment and remediation approaches for dry-cleaning solvent contamination.
- (2) A PRP who has obtained certification for a site may elect to conduct assessment or remediation of the site without entering into an assessment or remediation agreement with the state. Such assessments or remediations may rely on the risk-based standards mandated by the Act, but cannot take advantage of land use restrictions or reimbursement from the solvent cleanup fund.
- (3) The public notice requirements of section 143-215.104L of the Act apply only to remediation agreements that rely on land-use restrictions. Remediation agreements that do not involve land-use restrictions need not be noticed.

- (4) With respect to subsection 7(a) of the Act, which authorizes reimbursement for costs incurred in connection with enforcement actions by the Department of Environment and Natural Resources (DENR) between October 1, 1997 and January 1, 1999, such costs are only reimbursable if they are required by a specific order of DENR. In our discussions with DENR representatives regarding this provision, it was generally agreed that a Notice of Violation would not constitute an "order" of the Department and, therefore, would not qualify for reimbursement under this subsection.

Thanks very much for this opportunity to contribute to the discussion of the new Act.

Sincerely,
Samuel M. Taylor
Womble Carlyle Sandridge & Rice, PLLC
Raleigh, NC

THE NEW DENR ASSISTANT SECRETARY

Susan H. Cooper
Kilpatrick Stockton, LLP
Charlotte, NC

Bill Holman, who for many years has been a lobbyist for the Sierra Club and several other conservation organizations, has been appointed the new Assistant Secretary for Environmental Protection for the Department of Environment and Natural Resources. Holman replaces Dr. Linda Rimer, who has taken a position with the United States Environmental Protection Agency. Mr. Holman will be profiled in an upcoming issue of ENVIRONMENTAL NEWS.

CASE NOTES FEDERAL COURT DECISIONS

Amy L. Bircher
Womble Carlyle Sandridge & Rice, PLLC
Winston-Salem, NC

Carol Jones Van Buren, Stanford Baird
Kennedy Covington Lobdell &
Hickman, PA
Charlotte, NC

*Atchison, Topeka and Santa Fe
Railway Co. v. Brown & Bryant,
Inc.*, 1997 U.S. App. LEXIS 36359
(9th Cir., December 30, 1997)

*State Law Governs Successor Liability
Under CERCLA.*

The Ninth Circuit held that the issue of corporate successor liability under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) is to be decided under state law. It overruled *Louisiana-Pacific Corp. v. Asarco, Inc.*, 909 F.2d 1260 (9th Cir. 1990), which decided the issue under federal common law.

O'Melveny & Myers v. FDIC, 512 U.S. 79 (1994), directs a federal court to presume unaddressed matters in a comprehensive federal statutory scheme are subject to state law. A federal rule may be applied only if there is a significant conflict between a federal policy or interest and state law. Application of state corporation law will not frustrate the CERCLA mechanism for cleaning up hazardous waste sites and imposing the costs on those responsible for the contamination.

-- A. Bircher

P 281 679 729



**Receipt for
Certified Mail.**

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

CAIL REALTY & INVESTMENT
106 ACCESS ROAD
NORWOOD MA 02062
NOV FIKWOOD PLAZA
WILSON, WILSON COUNTY
11/6/98 — JW — GW

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1991



NORTH CAROLINA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES
RALEIGH REGIONAL OFFICE



JAMES B. HUNT JR.
GOVERNOR

WAYNE McDEVITT
SECRETARY

DIVISION OF WATER QUALITY
GROUNDWATER SECTION
November 3, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cail Realty & Investment, Owner
Williamson Cleaners, Fikewood Plaza, Wilson, NC
106 Access Road
Norwood, MA 02062

Subject: Notice of Violation
North Carolina Administrative Code
Title 15A Subchapter 2L .0202
Fikewood Plaza
1400 Ward Blvd
Wilson, Wilson County
Incident # Unassigned, Site Rank 90B

To Whom It May Concern:

On October 12, 1998, the Division of Water Quality Groundwater Section reviewed a Phase II Environmental Site Assessment Report received on June 17, 1998, that concerned the violation of a groundwater quality standard for one compound above the allowable concentration as established in 15A NCAC 2L .0202. Soil and groundwater samples taken on April 23, 1998 inside and outside the site contain tetrachloroethene (Perc or PCE) and trichloroethene (TCE) which is a daughter product from the natural degradation of Perc within the subsurface. Levels of Perc and TCE in groundwater were above North Carolina regulatory standards (0.7 ppb Perc and 2.8 ppb TCE) in the groundwater at the location referenced above. The groundwater analyzed in TW-2 (located outside the facility) contained 466 ppb Perc and 342 ppb TCE. TW-3 contained 1130 ppb Perc and 228 ppb TCE, and

3800 BARRETT DRIVE, SUITE 101, RALEIGH, NORTH CAROLINA 27609
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TW-4 contained 352 ppb Perc and 188 ppb TCE (both located inside the facility).

The Groundwater Quality Standards were established in accordance with the provisions set forth in General Statute (G.S.) 143-214.1 and are located in Title 15A North Carolina Administrative Code Subchapter 2L Rule .0202 (15A NCAC 2L .0202). No person shall conduct or cause to be conducted, any activity which causes the concentration of a substance to exceed the standards specified at 15A NCAC 2L .0202.

As a result of these findings, you are requested to submit a Comprehensive Site Assessment (CSA) report by January 26, 1999 and a Corrective Action Plan (CAP) by March 26, 1999, in accordance with 15A NCAC 2L .0106. This rule requires any person conducting or controlling an activity not permitted by the State which results in the increase in the concentration of a standard, to assess the cause, significance and extent of the violation; submit a report as required by 15A NCAC 2L .0111 in such detail as specified by the Director; submit a plan for eliminating the source of the contamination and for restoration of the groundwater; and to implement the plan. The CSA and CAP must follow the format of, and include all of the information in, the "Groundwater Section Guidelines For The Investigation and Remediation of Soils and Groundwater, Volume 1". A copy of the guideline is available at this office.

We understand that Mr. Williamson does not believe his business is the cause of the release; however, Mr. Horace Moore (previous owner) states the same. Pursuant to regulations and as the current property owner, you are the responsible party. Please submit any documentation you have that may prove the responsible party for groundwater contamination.

You are requested to submit a response to this letter on or before December 3, 1998 and indicate your intentions to comply with the above rules or the reasons why you cannot or will not comply. If this office does not receive a response as requested, then it will be assumed that you intend to comply with this Notice.

Failure to respond within the time specified may result in the recommendation of enforcement action to the Director who may issue a proposed civil penalty assessment under authority of G.S. 143-215.6A, which provides that a civil penalty of not more than \$10,000 may be assessed against any person who violates the Commission's rules. If any action or failure to act is continuous, each day may be considered a separate

violation.

Failure to comply with the corrective action rules may also result in the Attorney General of the State requesting an injunction in Superior Court requiring the necessary measures. Any willful or knowing noncompliance which allows groundwater standards to continually be exceeded may result in criminal sanctions being sought under G.S. 143-215.6B.

Should you have any questions, please contact Ms. Jenne Sowell or me at the Raleigh Regional Office at (919) 571-4700.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Jay Zimmerman", with a long horizontal flourish extending to the right.

S. Jay Zimmerman, L.G.
Environmental Regional Supervisor
Raleigh Regional Office

SJZ/js

cc: Wilson County Health Department

NORTH CAROLINA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT



JAMES B. HUNT JR.
GOVERNOR

WAYNE McDEVITT
SECRETARY

WILLIAM L. MEYER
DIRECTOR

July 13, 1998

Jeffrey Tyburski, L.G.
LAW Engineering & Environmental Services, Inc.
3301 Atlantic Avenue
Raleigh, North Carolina 27604

RE: Notice of Release
Williamson Cleaners
Fikewood Plaza
Wilson, North Carolina
LAW Job No. 30741-8-2867


Dear Mr. Tyburski:

The North Carolina Superfund Section received your "Notice of Release" of June 16, 1998. Section 143-215.104H and 143-215.104I of the Dry Cleaning Solvent Cleanup Act authorizes the Environmental Management Commission (EMC) to enter into assessment agreements and remediation agreements with one or more responsible parties to address contamination at dry cleaning facilities. This part of the Act, however, does not become effective until January 1, 1999. In addition the EMC must delegate their authority to the Department prior to our office entering into any agreement under this act. For this reason the North Carolina Superfund Section recommends that this site be addressed under Division of Water Quality (DWQ) authority until the Dry Cleaners Program receives authority to enter into agreements and is staffed and operating. Alternatively, the Superfund Section can address this site under the Inactive Hazardous Sites Program. In either case, the owner, operator, or responsible party must notify our office of this site as prescribed in N.C.G.S. 130A-310.1(b). A notification form is enclosed for your use to satisfy this requirement. After receiving confirmation from DWQ that their office is working with the responsible party to address this site the Inactive Hazardous Sites Program will move it to a "Site Remedial Action Under the Jurisdiction of the DWQ" status.

Jeffery Tyburski, L.G.
LAW Engineering & Environmental Services, Inc.
July 13, 1998
Page 2

Thank you for your cooperation. If you have any questions, please call me
at (919) 733-2801, ext. 293.

Sincerely,



Jack Butler, P.E.
Chief
Superfund Section

JB/slb(C:\WPWIN60\WPDOCS\DRYCLEAN\WILLMSN.DRY)

cc: Mr. Jay Zimmerman
Mr. Joel Williamson

JUL 16 1998

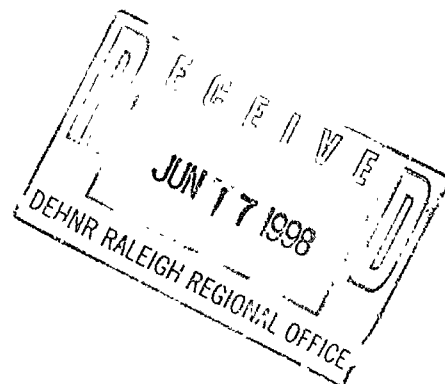
LAW

LAWGIBB Group Member 

June 16, 1998

Mr. Jay Zimmerman
Regional Environmental Supervisor

North Carolina Department of Environment and Natural Resources
Division of Water Quality
Raleigh Regional Office
3800 Barrett Drive
Raleigh, North Carolina 27609



Subject: **NOTICE OF RELEASE
WILLIAMSON CLEANERS
FIKEWOOD PLAZA →
WILSON, NORTH CAROLINA
LAW JOB NO. 30741-8-2867**

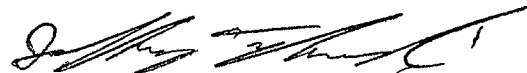
Dear Mr. Zimmerman:

On behalf of our client, Mr. Joel Williamson of Williamson Cleaners, we are providing you notice that a release of perchloroethylene (PCE) has occurred at the subject property. As described in the attached Limited Site Contamination Report, PCE was detected in groundwater at the site in excess its 15A NCAC 2L standard and was also detected in unsaturated soil. Activities for additional assessment, including the performance of a receptor survey, are currently being conducted for our client. Our assessment activities are also being conducted as part of an insurance claim on a policy that was purchased by Mr. Williamson to meet insurance coverage requirements of the Dry-Cleaning Solvent Cleanup Act. A copy of this letter and the attached report are also being provided to Mr. Jack Butler of the North Carolina Superfund Section since it is our understanding that the responsibility of regulating contaminated dry-cleaning sites is in the process of being transferred to the Superfund Section.

If any technical questions arise regarding this notice of release, please do not hesitate to contact Mr. Jeff Tyburski or Brian Bellis of Law's Raleigh office at 876-0416. Mr. Joel Williamson can also be reached at (252) 237-0167.

Sincerely,

LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC.



Jeffrey Tyburski, L.G.
Senior Geologist



Brian J. Bellis, L.G.
Principal Hydrogeologist

cc: Mr. Jack Butler – North Carolina Superfund Section (with attached report)
Mr. Joel Williamson (Letter Only)
Mr. Marlin Zechman – ECS (Letter Only)

Attachment

LAW Engineering and Environmental Services, Inc.
3301 Atlantic Avenue • Raleigh, NC 27604
P.O. Box 18288 • Raleigh, NC 27619
919-876-0416 • Fax: 919-831-8136

<i>Incident Management Data Entry</i>			
<i>Incident Information</i>		02/02/2001	
Incident Number	19137	Site Priority	90 B
Incident Name	WILLIAMSON (DISCOUNT) CLEANERS		
Incident Address	1400 WARD BLVD.		
Incident City/Town	WILSON	Incident Zip	
County	Wilson		
ROContact	ROUSH		
<i>Responsible Party Information</i>			
RP Contact	JOEL WILLIAMSON		
RP Company	KORETIZING OF WILSON, INC.		
RP Address	2906 STEEPLE CHASE RD		
RP City	WILSON	RP State	NC
RP Zip	27893		
RP Phone			
Ownership Type	Private		
Operation Type	Commercial		
<i>Contamination Information</i>		<i>GWContam (Y/N)</i>	<i>Y</i>
Sources	Type	Wells	
Surface Spill	Chlorinated Solvents	Private Well	0
		Private NonDrinking	0
		Public Well	0
<i>Status Information</i>			
Report/Discovery Date	06/17/1998	Phase	Remediation
Notice Date		Next Due Date	
Next Action			
CSA Received	02/17/2000	CAP Received	
CSA Approved		CAP Approved	
Last Modified	02/02/2001	CAP Type	None
Date Closed		CAP Implemented	No Data
<i>Locational Information</i>			
Latitude (DMS)	354309	Longitude (DMS)	775330
Latitude (Decimal Degrees)	35.71916666666667	Longitude (Decimal Degrees)	77.89166666666667
Lat/Long QC	EST	Quad	L30q

Comments

PCE, TCE IN SOIL AND GROUNDWATER; FORWARDED TO
SUPERFUND/DRYCLEANER SECTION FOR LEAD

North Carolina Department of Environment, Health & Natural Resources
Division of Water Quality, Groundwater Section
Raleigh Regional Office

Record of Communication

Communication recorded by: Jenne A Sewell

Communication with: Mr Horace Moore 10259 Hastings Pl.
Harrisburg NC 28075

Communication received by:

Subject:

meeting at

phone ~~to~~ from phone number 704 537 9725

other:

Williamson Cleaners

Wilson, NC

Date 10-21-98 Time 4:00pm

Summary of communication Mr. Moore returned my call.
He is the original owner of Williamson Cleaners,
Killebrew Plaza, where soil & water perc contamination
is detected. He stated that he never dumped
perc at the premises. I transferred the
call to Jim Rorsh for clarification. Jim explained
that it gradually accumulates through
drains, small spills etc. over time.
Will send NDV to Mr. Moore.

JAS

Routing:

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North Carolina Department of Environment, Health & Natural Resources
Division of Water Quality, Groundwater Section
Raleigh Regional Office

Record of Communication

Communication recorded by: Jenne A. Sowell

Communication with: Mr. Joel Williamson (owner)

Communication received by: Jenne A. Sowell
meeting at _____
phone to/from phone number 252 237 0167
other: _____

Subject: Williamson Cleaners
Fikewood Plaza
Wilson, NC

Date 10-15-98 Time 10:45 Am

Summary of communication:

Spoke with Mr. Williamson to obtain the
name of the previous owner of Williamson
Cleaners. He purchased the business from
Horace Moore, 10259 Hastings Place, (704) 537-9725
Harrisburg, NC 28075, when purchased
4 years ago, Mr. Williamson converted
to a closed loop system. Previously
(since construction in 1985) it was an
open loop system.

Routing:

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POLLUTION INCIDENT/U.S.T. LEAK REPORTING FORM

Department of Environment, Health, Natural Resources
Division of Environmental Management
GROUNDWATER SECTION

Confirm. GW Contamination (Y/N) ☒

Incident # 19137

Major Soil Contamination (Y/N) ☐

Minor Soil Contamination (Y/N) ☒

Date Incident Occurred
or Leak Detected 9/23/98

INCIDENT DESCRIPTION (FORMERLY DISCOUNT CLEANERS)

Incident Location/Name WILLIAMSON CLEANERS - FIKWOOD PLAZA

Address 1400 WARD BLVD.

City/Town WILSON

County WILSON

Region RAL.

Briefly Describe Incident A LIMITED SITE CONTAMINATION ASSESSMENT TURNED UP UP TO 5650 PPB CIS-1,2-DICHLORDETHENE (DCE) AND UP TO 1,810 PPB TETRACHLORDETHENE (PCE) IN SOIL BENEATH FACILITY AND UP TO 1,130 PPB PCE IN GROUNDWATER BENEATH FACILITY.

POTENTIAL SOURCE OWNER-OPERATOR

Potential Source Owner-Operator

KORETZING OF WILSON, INC
UNKNOWN AT THIS TIME

Telephone

Company JOEL WILLIAMSON

Street Address 2906 STEEPLE CHASE RD

City WILSON

County WILSON

State NC

Zip Code 27893

OWNERSHIP

0. N/A 1. Municipal 2. Military 3. Unknown 4. Private 5. Federal 6. County 7. State

OPERATION TYPE

0. N/A 1. Public Service 2. Agricultural 3. Residential 4. Educational/Relig. 5. Industrial 6. Commercial 7. Mining

POLLUTANTS INVOLVED

MATERIALS INVOLVED

PCE, DCE

AMOUNT LOST

AMOUNT RECOVERED

SOURCE OF POLLUTION

PRIMARY SOURCE OF POLLUTION
(Select one)

- 1. Intentional dump
- 2. Pit, pond, lagoon
- 3. Leak-underground
- 4. Spray irrigation
- 5. Land application
- 6. Animal feedlot
- 7. Source unknown
- 8. Septic tank
- 9. Sewer line
- 10. Stockpile
- 11. Landfill
- 12. Spill-surface
- 13. Well
- 14. Above-ground Storage Tank
- 15. Nonpoint source

PRIMARY POLLUTANT TYPE
(Select one)

- 1. Pesticide/herbicide
- 2. Radioactive waste
- 3. Gasoline/diesel
- 4. Heating oil
- 5. Other petroleum prod.
- 6. Sewage/septage
- 7. Fertilizers
- 8. Sludge
- 9. Solid waste leachate
- 10. Metals
- 11. Other inorganics
- 12. Other organics

LOCATION

- 1. Facility
- 2. Railroad
- 3. Waterway
- 4. Pipeline
- 5. Dumpsite
- 6. Highway
- 7. Residence
- 8. Other

SETTING

- 1. Residential
- 2. Industrial
- 3. Urban
- 4. Rural

Site Priority
Ranking

90B

D.E.M. Regional Contact

JIM ROVSM

Signature

[Signature]

Date

10-12-98

IMPACT ON DRINKING WATER SUPPLY

WELLS AFFECTED 1. YES

2. No

NUMBER OF WELLS AFFECTED _____

Well(s) Contaminated: (Users Name)

1.

2.

3.

4.

5.

Circle Appropriate Responses

Lab Samples Taken By:

1. DEM

2. DHS

3. Responsible Party

4. Other

5. None

Samples Taken Include:

1. Groundwater

2. Soil

LOCATION OF INCIDENT

7 1/2 Min. Quad Name

WILSON

Lat. : Deg : Min : Sec :

35° 43' 9"

5 Min. Quad Number

L30g

Long. : Deg : Min : Sec :

77° 53' 30"

Draw Sketch of Area or Attach Additional Maps

-SEE ATTACHED-

Incident Name: WILLIAMSON CLENNERS - FIREWOOD PLAZA Region/County: RHL / WILSON
 Groundwater Incident File #: _____ Ranking Performed by: JIM ROUSH
 Date: 10-12-98

NORTH CAROLINA
GROUNDWATER CONTAMINATION INCIDENT MANAGEMENT
SITE PRIORITY RANKING SYSTEM
 (To be completed by Regional Office)

	<u>Points Awarded</u>
I. IMMINENT HAZARD ASSESSMENT	
A. Vapor Hazard - free product in confined areas or vapor phase contamination detected at or above 20% of the lower explosive limit or at health concern levels; award 50 points total	<u>0</u>
B. Fire - free product subject to ignition in exposed areas such as surface water impoundments, streams, excavations, etc.; award 50 points total	<u>0</u>
II. EXPOSURE ASSESSMENT	
A. Contaminated Water Supplies	
1. Private, domestic water supply well containing substances in concentrations exceeding 15A NCAC 2L groundwater quality standards; award 10 points per well	<u>0</u>
2. Public or institutional water supply well containing substances in concentrations exceeding 15A NCAC 2L groundwater quality standards; award 20 points per well	<u>0</u>
3. Exceedances of Class WS-1 surface water quality standards as a result of groundwater discharge; award 20 points per surface water body impacted	<u>0</u>
4. Any water supply well identified in items II. A. 1 or II. A. 2 that cannot be replaced by connecting to an existing public water supply source; award additional 10 points per irreplaceable well	<u>0</u>
B. Threat to Uncontaminated Drinking Water Supplies	
1. Private, domestic water supply located within 1500 feet down gradient of the discharge, release or known extent of contamination; award 10 points per well	<u>20</u>
2. Public or institutional water supply well located within 1500 feet down gradient of the discharge, release or known extent of contamination; award 15 points per well	<u>0</u>
3. Raw surface water intake for public water supply located within 1/2 mile down gradient of the discharge, release or known extent of contamination; award 5 points per water supply system	<u>0</u>
4. Any well identified in items II. B. 1 or II. B. 2, or an intake item II. B. 3 located within 250 feet of the discharge, release or known extent of contamination; award additional 20 points total (not per well or intake)	<u>0</u>
C. Vapor Phase Exposure	
1. Contaminant vapors detected in inhabitable building(s), but levels are below 20% of the lower explosive limit and health concern levels; award 30 points total	<u>0</u>

2. Contaminant vapors detected in other confined areas (uninhabitable buildings, sewer lines, utility vaults, etc.), but levels are below 20% of the lower explosive limit; award 10 points total

0

III. SOURCE ASSESSMENT

- A. Uncontrolled or Unabated Contaminant Source (including dump sites, stockpiles, lagoon, contaminated soil, land applications, septic tanks, landfills, underground and above ground storage tanks, etc.)

1. Suspected or confirmed primary source remains in active use and continues to receive raw product, wastewater or solid waste; award 30 points per source
2. Active use of suspected or confirmed primary source has been discontinued or source was caused by a one-time release of product or waste; however, primary or secondary source continues to release product or contaminants into the environment; award 10 points per source

0

10

IV. ENVIRONMENTAL VULNERABILITY ASSESSMENT

- A. Vertical Contaminant Migration - Literature or well logs indicates that no confining layer is present above bedrock or within twenty feet of land surface; award 10 points total
- B. Horizontal Contaminant Migration - Data or observations indicate that no discharge points or aquifer discontinuities exist between the discharge, release or known extent of contamination and the nearest down gradient drinking water supply; award 10 points total
- C. Existing Groundwater Quality - The worst case monitor or supply well contains contaminant levels:
1. At less than 10 times the 2L groundwater standards; award 5 points
 2. Between 10 and 100 times the 2L groundwater standards; award 20 points
 3. Greater than 100 times the 2L groundwater standards; award 40 points

10

10

0

0

40

V. REGIONAL OFFICE RESPONSE (LETTER RANK) (Put an X on the line next to all conditions that apply.)

CATEGORY A (one or more of the following conditions are present)

1. One or more water supply wells are contaminated and the persons using the wells are not served by an existing public water supply.
2. Petroleum vapors are present in confined areas at levels which pose a human health concern or an explosion hazard.
3. A treated surface water supply is in violation of the drinking water standards set out in rules adopted by the Commission for Health Services under G.S. 130A-315.

CATEGORY B (one or more of the following conditions are present)

1. One or more water supply wells are contaminated but the persons using the wells are served by an existing public water supply.

11

2. One or more water supply wells are in use within 1500 feet of the discharge, release or known extent of contamination, the wells are not contaminated, and the persons using the wells are not served by an existing public water supply. X
3. Petroleum vapors are present in confined areas but do not currently pose a threat to human health or an explosion hazard.

CATEGORY C (both of the following conditions are present)

1. One or more water supply wells are present at a distance greater than 1500 feet of the discharge, release or known extent of contamination, and the persons using the wells are not served by an existing public water supply.
2. None of the identified water supply wells are contaminated.

CATEGORY D (both of the following conditions are present)

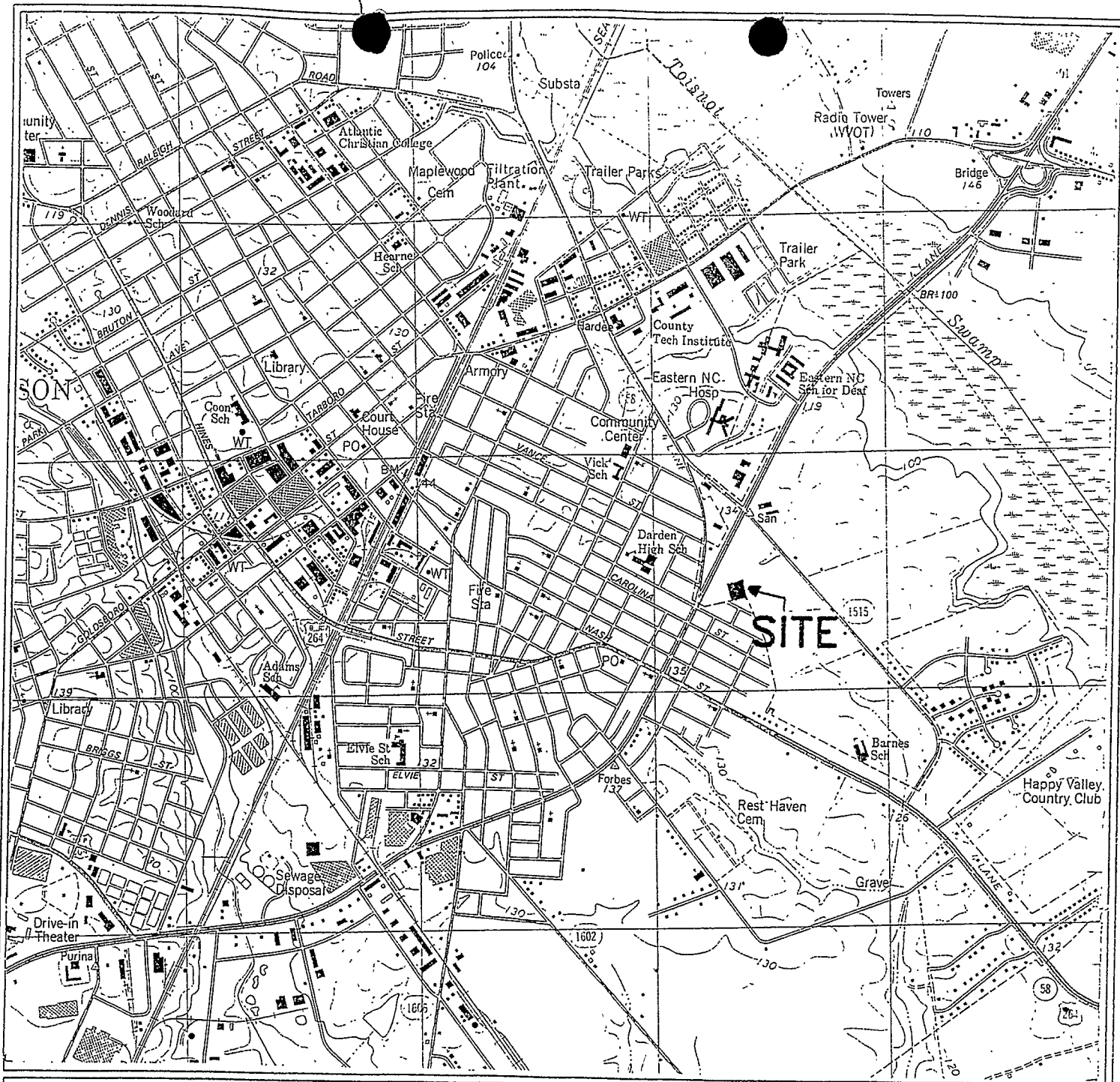
1. One or more water supply wells are present within 1500 feet of the discharge, release or known extent of contamination, but the persons using the wells are served by an existing public water supply.
2. None of the identified water supply wells are contaminated.

CATEGORY E (both of the following conditions are present)

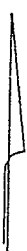
1. Water supply well(s) are not present within 1500 feet of the discharge, release or known extent of contamination, and no known water supply well(s) are contaminated.
2. All persons within 1500 feet of the discharge, release or known extent of contamination are served by an existing public water supply.

TOTAL POINTS AWARDED

90B
#/Letter



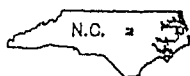
NORTH



WILSON, N. C.

NW/4 WILSON 15' QUADRANGLE
N3537.5—W7752.5/7.5

1978



QUADRANGLE LOCATION

CONTOUR INTERVALS 10 FEET
GRAPHIC SCALE FEET

2000 1000 0 2000 4000

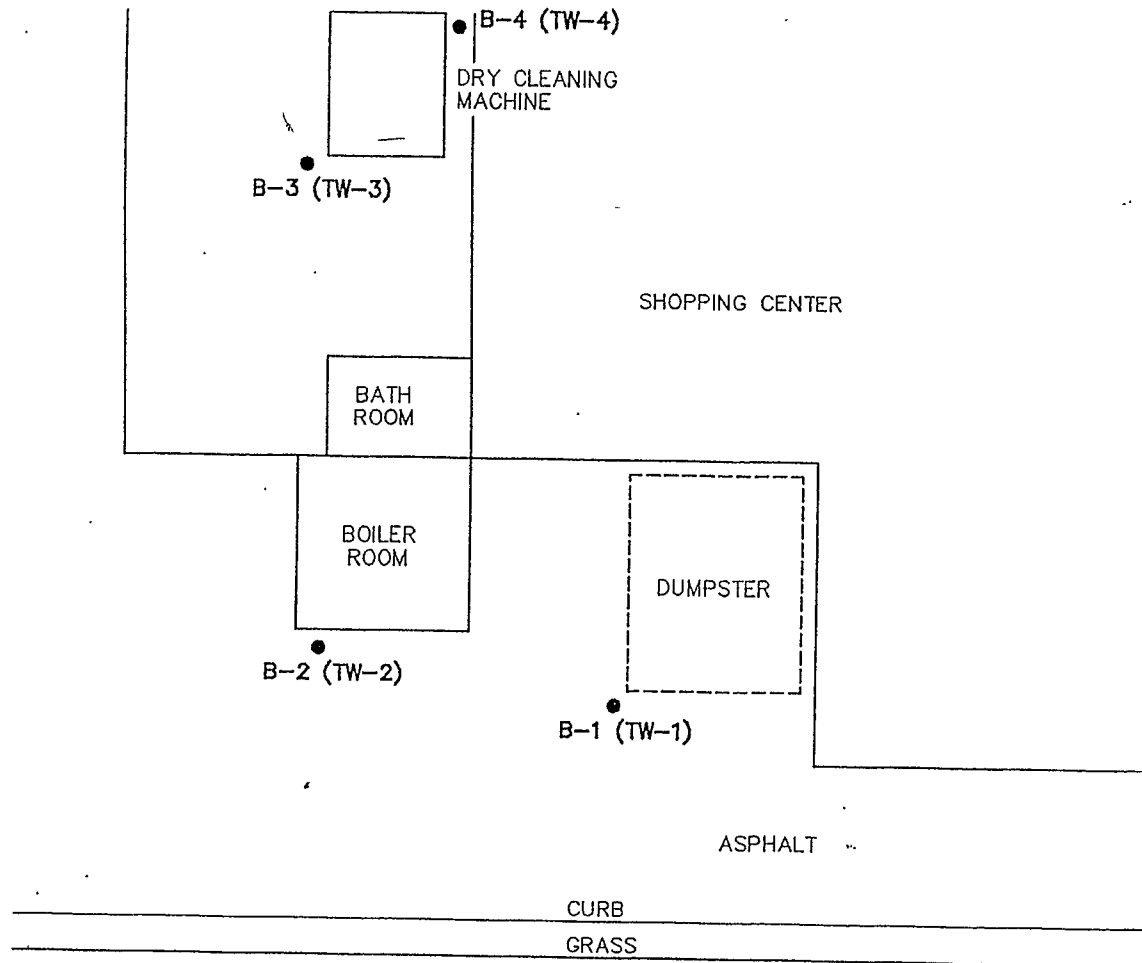
NOTE: SITE LOCATION IS APPROXIMATE.



LAW ENGINEERING AND
ENVIRONMENTAL SERVICES, INC.
RALEIGH, NORTH CAROLINA

TOPOGRAPHIC SITE MAP
WILLIAMSON CLEANERS
FIKEWOOD PLAZA
WILSON, NORTH CAROLINA

DRAWN: ARP	DATE: MAY 1998
DFT CHECK: KRT	SCALE: 1: 24000
ENG CHECK: JT	JOB: 30741-8-2867
APPROVAL: BSB	DWG: 1



LEDGEND

- B-1 (TW-1) SOIL BORING
(TEMPORARY MONTERING WELL) LOCATION

DRAWING NOT TO SCALE

82867P01.dwg

SAMPLE LOCATION MAP
WILLIAMSON CLEANERS - FIKWOOD PLAZA
WILSON, NORTH CAROLINA



LAW ENGINEERING AND
ENVIRONMENTAL SERVICES, INC.
RALEIGH, NORTH CAROLINA

DRAWN: <i>ARP</i>	ENG CHECK: <i>JT</i>	DATE: MAY 1998	JOB: 30741-8-2867
DFT CHECK: <i>KRT</i>	APPROVAL: <i>RJB</i>	SCALE: N.T.S	DWG: 2

REFERENCE: